

Evening Telegraph

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FRIDAY, MAY 14, 1869.

THE INQUIRY OF JUSTICE.

CHIEF JUSTICE CHASE yesterday made a decision in the United States District Court, at Richmond, Virginia, which will thoroughly arouse the indignation of the loyal people of the whole country, if not against the Chief Justice, certainly against the law which he expounded. When Virginia plunged into rebellion in 1861, when the United States Marshal for that district turned over to the so-called Confederacy all the Government property in his hands, this was not an isolated case. The pro-Rebel members of Buchanan's Cabinet had taken care that every office within the gift of the Executive in the Southern States should be filled by a red-hot secessionist, and when the crisis came, the United States Marshals, Postmasters, and other Federal officers entrusted with the money and property of the Government, without a moment's hesitation, and without any effort to regard the obligations of their oaths, generally followed the example of this Richmond functionary by turning over to the Confederate authorities everything in their possession which belonged to the United States. Then followed the war against the Union, and during its progress, and for two or three years after its close, it was utterly impossible for the representatives of the Government to enforce, or even to make any claim upon these delinquent traitors for a restoration of the property which had been disposed of by them in this fashion.

As soon, however, as it was possible for the United States, through its proper representatives, to demand restitution, the demand was made, and the regular machinery of the Federal courts called into action to enforce it. The first case which was brought up, we believe, was the one in which the United States sustained a nonsuit yesterday in Richmond. The traitor who had been appointed United States Marshal for the district of Virginia by the Buchanan administration pleaded the statute of limitations in bar of the claims, and Salmon P. Chase, the Chief Justice who received his commission from President Lincoln, sustained the plea, and thereby permitted the delinquent official to escape the consequences of his reasonable action.

If this were the only case which this iniquitous decision would affect, it would be a matter of comparatively little moment; but if the question be carried to the Supreme Court, as it certainly should, and be sustained, it will necessarily apply to every similar case throughout the South, and the treasury of the United States thus made to contribute directly to the inauguration of the war against the integrity of its own territory. It would be difficult to conceive of a more flagrant violation of the first principles of justice and common sense than is involved in such a state of affairs. The Chief Justice is entrusted with the interpretation and enforcement of the laws enacted by Congress. It is his business to expound these laws in accordance with the time-honored principles of interpretation, and to enforce their provisions as thus construed, without the fear of popular clamor or favor for individual interests. As we have not yet seen the decision in full, it is impossible to express any opinion upon the merits of the arguments by which the Chief Justice had been led to pronounce it. It is barely possible that he has given to the law as he finds it in the statute book the only construction which it was utterly impossible for the United States to assert its claims at an earlier day, because of the hostilities prevailing between the two sections of the country, did not operate to put the statute of limitations in abeyance. If this be the case, we can only say that it affords another striking illustration of the variance between law and justice. According to the old maxim of the common law, "no time runneth against the King." This maxim has been enforced again and again in this country, and the books of the Treasury at Washington are now encumbered with numerous unsettled accounts against Government debtors, some of which are of fifty years' standing, with no attempt at enforcing them, because a judgment against the parties or their legal representatives would be absolutely worthless. Its application becomes even more reasonable when the Government is prevented from asserting its claims, not because of the insolvency of its debtors, but because of the prevalence for years of a state of war and the consequent temporary overthrow of all the legal machinery for enforcing them. If the law as it stands should prevent the application of the maxim in cases of this character, there is, of course, no remedy, but this does not abate the glaring injustice which is perpetuated under its shield and by its sanction.

THE IMPRISONMENT OF PLUNDERING POLITICIANS. A few faint streaks of the dawn of the better day, when officials who conspire to plunder governments will be punished with as much severity as the criminals who rob private individuals, are beginning to illumine the horizon. Callcott, who was formerly the Speaker of the New York State Assembly, and subsequently a revenue official detected in dishonest practices, is still incarcerated within the walls of the Albany Penitentiary, and while we question the wisdom of the regulation which alleviates his punishment by making him the hospital steward of that institution, the fact remains that penitentiary officials cannot always escape the clutches of the law, and that in his instance at least, although it may be but one of a hundred, justice has claimed a rightful victim. In England, recently, a clerk in the Admiralty, T. Gambler, who, together with an engineer, Rumble, solicited and obtained a bribe from a contractor as a consideration for obtaining a contract to furnish timber, were subsequently arrested on the charge of conspiring to obtain money under false pretenses, and an English court convicted and sentenced them to eighteen months imprisonment at hard labor.

Pennsylvania doubtless contains at this moment hundreds, perhaps thousands, of men who are guilty of offenses quite as heinous as those for which Callcott was punished in New York, and Gambler and Rumble sentenced to prison in England. Many of these men hold high positions, exert a powerful influence upon political movements, and figure directly or indirectly as

law-makers in public, while they are the worst of law-breakers in private. The best service that courts and juries could render to this State and nation would be the incarceration of villains of this class in the penitentiaries of the land. They do more to increase the burdens of tax-payers, to corrupt society, and to demoralize politics, than all other criminals and all other causes combined; and the political atmosphere will never be purified until the lesson is distinctly taught that direct or indirect peculation is as sure to be punished by imprisonment as burglary or highway robbery. Undue leniency has so much increased the audacity of these graceless scamps, that year after year they become more clamorous in their demands and more shameless in their schemes of fraud and extortion. If they must be supported at the public expense, it is a thousand times better to sustain them on penitentiary rations, costing thirty-six cents per day, than to permit them to run at large, luxuriating on the fat of the land, living in fine houses, wearing purple and fine linen, and adding countless millions to their ill-gotten store.

REVERDY'S FAREWELL.

We have finally got rid of the last of our Johnsons. Andy has retired to the seclusion of Greenville, where he is engaged in brooding over the uncertainties of fame, and in explaining the intricacies of "my policy" to the benighted inhabitants of Tennessee; and Reverdy, the great American dinner-eater, has said his adieu to the Queen of England, and will shortly cross the broad Atlantic under the uncomfortable impression that his mission has been worse than a failure, and that his post-prandial diplomacy has only served to make the last state of the Alabama question worse than the first. Since the rejection of his famous turtle soup and plum-pudding treaty by the Senate, and the publication of Senator Sumner's summing up of the American grievances against Great Britain, we have heard nothing whatever of any knife and fork exploits performed by Minister Johnson, and the Lairds and Roebucks have given him the cold shoulder. The British Lion has got his back up at Mr. Sumner's speech, and our late misrepresentative at the Court of St. James will leave the shores of Albion, his ears filled with the noise of hearty British curses, and his sea sickness aggravated by the mortifying consciousness that they are the natural result of a too indiscriminate use of soft sawder on his part.

Although there are no more big dinners for Reverdy in England, his admirers on this side of the Atlantic are determined that he shall not retire to private life on an empty stomach. It is accordingly reported that arrangements are being made to give him a big feed at Washington on his return, which will combine all the solid delicacies of a genuine English dinner, and serve to remind him of what he has lost by the miscarriage of his efforts to bring about an understanding between the United States and England. This would be a fitting termination for the diplomatic career of the last of our public Johnsons; and there is such a suggestion of delicate satire in the idea, that it will be a matter for regret if it is not carried out.

In the meantime the Britons will rage, and swear by the beard of William the Conqueror that they will never pay our bill; and Mr. Motley, who has studied the philosophy of history to some purpose, will wait until the animal has exhausted himself, and then, by a persistent advocacy of our claims, will perhaps succeed in getting a new idea or two into the dulled British brain, will convince the stupidist Tory that the American people are in earnest, and that the question is not pay or fight, but pay or let the matter remain open, with all the risks of British commerce being swept out of existence in case of a war with the Emperor of China or some equally potential monarch who may have a grievance to settle. The outburst of rage which followed the reception of Mr. Sumner's speech in England has a ludicrous air of terror beneath the cursings loud and deep, which indicates that the British Government, protesting that it will never pay, will pay at last. We can certainly afford to allow the Alabama claims to remain open for an indefinite length of time if our cousins across the water can, and Minister Motley need do nothing more in the diplomatic way than put his hands in his pocket and whistle "Yankee Doodle," until some British statesman awakes to the fact that a further postponement of the day of settlement is inexpedient and dangerous to British interests.

THE BRITISH COLONIAL POSSESSIONS. A MONTREAL despatch says that the British Privy Council is considering a project for the relinquishment of all the British colonies except India. This news has been forwarded over a circuitous route, but it may nevertheless have a substantial basis in fact; and, as the Canadians are deeply interested in the future colonial policy of Great Britain, they may have received the intelligence in advance of its transmission from London to the United States. It is evident that pride rather than interest prompts the continuance of imperial authority over a large portion of the British dominions, and if English merchants, manufacturers, and shipowners could be assured of the continuance of their industrial and commercial supremacy over their American, West Indian, African, and Australasian possessions, they would care little for the continuance of absolute governmental dominion. The distant and sparsely-populated colonies are a source of continual expense, vexation, and danger, and British tax-payers are gradually growing weary of the costly policy which burdens the oppressor even more than the oppressed. The British Empire contains an area, in round numbers, of 6,150,000 square miles, but so much of this is a dreary and inhospitable waste, that 4,200,000 square miles in North America and Australasia contain a population of only 3,600,000, or less than one person to a square mile, and all the British territory, exclusive of the British Islands and the possessions in Asia, contains a population of but six millions, spread over an area of more than 4,500,000 square miles. A marked contrast to this sparseness of population is presented by the territory which, according to the Montreal despatch, the Privy Council propose to retain. The British Islands, with an area of 120,850, contain a population of 27,000,000, or more than two hundred persons to the square mile, and the British possessions in India contain a population of 182,000,000 on an area of 1,500,000 square miles, or more than one hundred and twenty persons to a square mile. The proposed policy is based on the idea that it is profitable to govern people, but an expensive luxury to exercise dominion over a wide expanse of unproductive territory. Thickly-populated districts can be made to pay heavy taxes, to furnish useful markets for British products, and to sustain large bodies of British officials, while rude regions rapidly absorb revenue and create an unceasing drain upon English resources. It is a grand thing to say that the line of British forts stretches around the Atlantic globe, that every continent, every

impress of British power, that half of North America belongs to the rulers of a cluster of little islands, and that the British lion stretches his paws over every grand division of the world, but the British love money even better than power, and the folly of governing regions which are an endless source of expense is becoming apparent even to rapacious John Bull. The day cannot be far distant when a willingness to abandon authority over distant and unproductive colonial possessions will be a prominent feature of English policy, and it is not improbable that the New Dominion will be one of the first white elephants that will be set free to browse for itself.

CONNECTICUT, in 1865, voted upon the question of extending the elective franchise to the colored element of its population, and rejected the proposal by a negative vote of 33,489 against 27,917 in the affirmative. Connecticut was thereupon excessively lauded by the Caucasian journals, and pronounced to be committed forever against negro suffrage. At the recent election, however, the ratification of the proposed fifteenth amendment to the Federal Constitution was made a distinct issue, and the result was the re-election by the people of a Legislature which has just given its assent to the vote in the Senate, taken some days ago, standing 13 to 8, and in the House of Representatives, which acted upon the question yesterday, 126 to 104. The world moves, and the Connecticut Democracy is not such a heavy weight that it can retard its progress.

THE INTERNATIONAL TROUBLE.

What is Said of the Alabama Claims by an English Journalist. Mr. Justin McCarthy is a London newspaper man of the first class, who is spending a few months here in the study of American institutions, and who writes for the benefit of Englishmen, and who has been the subject of a contemporary English politics which we have had for a long time. He is a man of observation, character, and good sense, and knows his own country and its people as well as any Englishman we ever had with the exception of the few worthies of note the sensible letter addressed by him to the Tribune, in relation to the present gossip about a war with England. Mr. McCarthy says that "the reason why the English are so passionately in favor of giving through our own periodicals, the best sketches of contemporary English politics which we have had for a long time. 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